

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 02, 2019

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Delbert W. Lee, Jr.

Case Number: 0980 2:17CR00061-WFN-1

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: March 8, 2017

Original Offense: Theft of Mail Matter, 18 U.S.C. § 1708

Original Sentence: Prison - 57 days Type of Supervision: Supervised Release
TSR - 36 months

Revocation Sentence: Prison - 2 months
07/13/2017 TSR- 34 months

Asst. U.S. Attorney: James Goeke Date Supervision Commenced: September 5, 2017

Defense Attorney: Roger Peven Date Supervision Expires: July 4, 2020

PETITIONING THE COURT

To issue a **warrant**.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p><u>Mandatory Condition # 2:</u> You must not unlawfully possess a controlled substance, including marijuana, which remains illegal under federal law.</p> <p><u>Supporting Evidence:</u> Delbert Lee provided urine specimens at Pioneer Human Services on March 14, 19, and 21, 2019, which all tested positive for morphine. Me. Lee had admitted to ongoing consumption of morphine/heroin.</p> <p>On November 6, 2017, Mr. Lee reported to the U.S. Probation Office. Mr. Lee was reminded of his conditions and given a copy of his judgment. He stated he understood each condition fully.</p>
2	<p><u>Standard Condition # 5:</u> You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 calendar days before the change. If notifying the probation officer in advance is not possible due to unanticipated</p>

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circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.

Supporting Evidence: On April 2, 2019, the undersigned officer was notified by Pioneer Counseling that Mr. Lee absconded from Pioneer Center East inpatient treatment facility on March 29, 2019. His whereabouts are unknown at the time of this report, and he has not received permission from his probation officer to change his residence from the inpatient facility.

On November 6, 2017, Mr. Lee reported to the U.S. Probation Office. Mr. Lee was reminded of his conditions and given a copy of his judgment. He stated he understood each condition fully.

- 6 **Special Condition #3:** You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

On March 21, 2019, Mr. Lee was ordered by the STEP Team to enter into and remain in an inpatient treatment program. He was provided with a written Court order reflecting said requirement signed by the Honorable Wm. Fremming Nielsen, Senior U.S. District Judge.

Supporting Evidence: On March 27, 2019, Delbert Lee entered inpatient treatment at Pioneer Center East. On March 29, 2019, Delbert Lee aborted inpatient treatment at Pioneer Center East.

On November 6, 2017, Mr. Lee reported to the U.S. Probation Office. Mr. Lee was reminded of his conditions and given a copy of his judgment. He stated he understood each condition fully.

The U.S. Probation Office respectfully recommends that the Court issue a warrant requiring the offender to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 4/2/2019

s/Richard Law

Richard Law

U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other

A handwritten signature in black ink, appearing to read "Amy Deeks", is written over a horizontal line.

Signature of Judicial Officer

04/02/2019

Date